

UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLAND

THE ESTATE OF YARON UNGAR, et al.,)	
)	
Plaintiffs,)	
)	
v.)	C.A. No. 00-105L
)	
THE PALESTINIAN AUTHORITY, et al.,)	
)	
Defendants.)	
)	
)	

**DEFENDANTS' MOTION FOR ENTRY OF A PROTECTIVE ORDER
REGARDING PLAINTIFFS' REQUESTS FOR DISCOVERY
OF CERTAIN THIRD-PARTY COMMUNICATIONS**

Defendants, the Palestinian Authority (PA) and Palestine Liberation Organization (PLO), through counsel, hereby move for a protective order regarding Interrogatory No. 2 of *Plaintiffs-Judgment Creditors' First Set of Interrogatories Relevant to Defendants-Judgment Debtors' Rule 60(b)(6) Motion* and Document Request No. 1 of *Plaintiffs-Judgment Creditors' Second Request for Documents and Things Relevant to Defendants-Judgment Debtors' Rule 60(b)(6) Motion*.

This Interrogatory and this Request seek discovery of communications between Defendants and the following: (1) Orascom Telecom Holding S.A.E.; (2) the Palestine Monetary Authority; (3) the Insurance and Pension Fund; (4) Canaan Equity Offshore C.V., Canaan Equity II Offshore C.V. and Canaan Equity III Offshore C.V., Canaan Offshore Management N.V. and Canaan Partners; (5) Becont Limited; (6) the Palestine Investment Fund; and (7) the Palestinian Commercial Services Company. In particular, the discovery requests seek all "communications, relating to the instant case, the [2004] Judgment and/or the 2006 [Creditors' Bill] Judgment."

The discovery requests specifically identify attorney-to-attorney communications as responsive to the requests and, indeed, the vast majority of documents and communications responsive to the request are communications between PA/PLO litigation counsel and litigation counsel for the various third party entities. With the exception of the Palestinian Commercial Services Company, which is a subsidiary of the Palestine Investment Fund, the *Ungars* have pending enforcement actions against each of these entities in a variety of state and federal courts.

For the reasons set forth in the accompanying Memorandum, which establish the requisite good cause, Defendants request that the Court prohibit Plaintiffs from seeking this discovery on the ground that it is not relevant to Defendants' entitlement to Rule 60(b)(6) relief from the default judgment, is unreasonably burdensome in the context of the circumscribed discovery period and limited scope of discovery associated with the pre-hearing vacatur discovery, and seeks communications and documents falling squarely within the scope of the work product doctrine.

FEDERAL RULE OF CIVIL PROCEDURE 26(c)(1) CERTIFICATION

Counsel for Defendants hereby certify that, as required by Fed. R. Civ. P. 26(c)(1), they have conferred with Plaintiffs in a good faith effort to resolve the issues raised in the Motion and have been unable to do so.

LOCAL RULE Cv 7(e) REQUEST FOR ORAL ARGUMENT

Pursuant to LR Cv 7(e), Defendants respectfully request oral argument on the issues raised in this Motion. Defendants estimate that an oral argument on this Motion will last approximately two hours.

Respectfully submitted,

Dated: September 9, 2010

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on this 9th day of September 2010, a true and genuine copy of the foregoing was filed by ECF, which will automatically send notification and a copy of such filing to:

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